

# Exhibit A

SC-6 Final Disposition Felony Confinement Sentence

## IN THE SUPERIOR COURT OF LONG COUNTY, STATE OF GEORGIA

STATE OF GEORGIA versus

ISAAC GLEN AGUIGUI

CRIMINAL ACTION #:

2012-R-60

MARCH Term of 2013

Clerk to complete if incomplete:

OTN(s): 88382963255

DOB: [REDACTED]

Ga. ID#: 4113530L

FILED IN OFFICE  
LONG COUNTY, GA  
2013 JUL 19 PM 1:00  
CLERK OF SUPERIOR  
STATE & JOINT COURT

Final Disposition:  
**FELONY CONFINEMENT**

☐ First Offender entered under O.C.G.A. § 42-8-60

☐ Repeat Offender as imposed below

☐ Repeat Offender waived

PLEA:

☒ Negotiated ☐ Non-negotiated

VERDICT:

☐ Jury ☐ Non-jury

The Court enters the following judgment:

Count	Charge (as indicted or accused)	Disposition (Guilty, Not Guilty, Guilty-Afford, Guilty- Lesser Incl, Nolo, Not Pros, Dead Docket)	Sentence	Fine	Concurrent/ Consecutive, Merged, Suspended
1	Malice Murder	Guilty	Life without the possibility of parole		
2	Malice Murder	Guilty	Life without the possibility of parole		Concurrent to Count 1
3	Felony Murder	Not Pros			
4	Felony Murder	Not Pros			
5	Violation of Street Gang Terrorism and Prevention Act	Guilty	15 Years to Serve		Concurrent to Count 1
6	Violation of Street Gang Terrorism and Prevention Act	Guilty	15 Years to Serve		Concurrent to Count 2
7	Violation of Street Gang Terrorism and Prevention Act	Not Pros			
8	Violation of Street Gang Terrorism and Prevention Act	Not Pros			
9	Possession of Firearm during Commission of Felony	Not Pros			
10	Possession of Firearm during Commission of Felony	Not Pros			
11	Violation of Street Gang Terrorism and Prevention Act	Guilty	15 Years to Serve		Concurrent to Count 1
12	Violation of Street Gang Terrorism and Prevention Act	Guilty	15 Years to Serve		Concurrent to Count 2
13	Aggravated Assault	Not Pros			
14	Aggravated Assault	Not Pros			

The Defendant is adjudged guilty or sentenced under First Offender for the above-stated offense(s); the Court sentences the Defendant to confinement in such institution as the Commissioner of the State Department of Corrections may direct, with the period of confinement to be computed as provided by law.

**Sentence Summary:** The Defendant is sentenced for a total of LIFE WITHOUT THE POSSIBILITY OF PAROLE, with concurrent 15 year to serve sentences.

The Defendant is to receive credit for time served in custody: ☐ from \_\_\_\_; or ☐ as determined by the custodian.

☐ The Court sentences the Defendant as a recidivist under O.C.G.A.:

☐ § 17-10-7(a); ☐ § 17-10-7(c); ☐ § 16-7-1(b); ☐ § 16-8-14(b); or ☐ § \_\_\_\_.

☐ The Defendant shall pay restitution in the amount of \$\_\_\_\_ through the Clerk of Court for the benefit of the victim(s), \_\_\_\_.

#### FIRST OFFENDER

(If designated by the Court)

The Defendant consenting hereto, it is the judgment of the Court that no judgment of guilt be imposed at this time but that further proceedings are deferred and the Defendant is hereby sentenced to confinement at such institution as the Commissioner of the State Department of Corrections or the Court may direct, with the period of confinement to be computed as provided by law.

Upon the Court's determination that the Defendant is or was not eligible for sentencing under the First Offender Act, the Court may enter an adjudication of guilt and proceed to sentence the Defendant to the maximum sentence as provided by law.

For Court's Use:

The Hon. Newell Hamilton, Jr. and April Y. Herbert, Attorneys at Law, represented the Defendant by: ☐ employment; or ☒ appointment.

**SO ORDERED** this 19th day of JULY, 2013.



Judge of Superior Court  
Atlantic Judicial Circuit

Robert L. Russell, III  
(print or stamp Judge's name)

CLERK OF SUPERIOR  
STATE & JUVENILE COURT

2013 JUL 19 PM 1:00

FILED IN OFFICE  
LONG COUNTY, GA

**THIS NEGOTIATED RESOLUTION IS CONDITIONED UPON THE FOLLOWING TERMS:**

- 1) The defendant shall testify truthfully at any and all hearings or trials of the co-conspirators, Defendants Anthony Ryan Peden, Indictment No. 2012-R62, Christopher Edward Salmon, Indictment No. 2012-R-64, and Heather Salmon, Indictment No. 2012-R63. Defendant shall testify truthfully at any and all hearings or trials of the Defendants, Adam Brady Dearman, Indictment No. 2012-R-362 and Anthony Garner, Indictment No. 2012-R-362. The Defendant shall cooperate fully with the State of Georgia and any and all law enforcement agencies, be they State or federal, in any type of interview or follow up information or knowledge being sought from said Defendant during the pendency of the above-indicted cases. Additionally, Defendant shall likewise agree to testify truthfully at any and all hearings or trials of any Defendants who may be indicted in the future for Street Gang Terrorism and Prevention Act counts or related crimes arising out of F.E.A.R. gang's activities or for any and all crimes alleged to have been committed by any of said gang members or associates in any jurisdiction. Furthermore, the same required cooperation for interviews by and all law enforcement agencies, state federal or military, applies to said cases.\* Defendant shall not be required to answer any questions pertaining to the pending charges with the military involving the deaths of his wife and unborn son. Further, he shall not be required to incriminate himself for any uncharged offenses.
- 2) Pursuant to O.C.G.A. Section 16-15-5 of the Street Gang Terrorism and Prevention Act, Defendant hereby consents to forfeiture of all property that is deemed contraband under said statute as it is explained and defined in said Code section; this consent forfeiture specifically includes but is not limited to all assets and property heretofore seized by the federal government in 2012 from this Defendant under violations of federal law.
- 3) Pursuant to O.C.G.A. 16-15-4(l) of the Street Gang Terrorism and Prevention Act: Defendant shall not knowingly have any contact of any kind or character with any other member or associate of a criminal street gang, shall not participate in any criminal gang activity, and shall not knowingly have any contact of any kind or character with victim Michael Roark or Tiffany York's family or household.

**A FAILURE TO COOPERATE IN INTERVIEWS OR REFUSAL TO TESTIFY AS SET FORTH IN CONDITION**

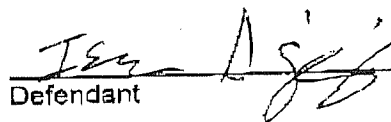
**1) ABOVE SHALL CONSTITUTE A VIOLATION OF THIS AGREEMENT. ANY SAID VIOLATION WILL  
SUBJECT DEFENDANT TO THE ORIGINAL OFFENSES IN THIS INDICTMENT AND THE DEATH PENALTY  
PROVISIONS BEING RE-INSTATED.**

FILED IN OFFICE  
LONG COUNTY, GA.  
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CLERK OF SUPERIOR  
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**FIREARMS** – If you are convicted of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence where you are or were a spouse, intimate partner, parent, or guardian of the victim, or are or were involved in another similar relationship with the victim, it is unlawful for you to possess or purchase a firearm including a rifle, pistol, or revolver, or ammunition, pursuant to federal law under 18 U.S.C. § 922(g)(9) and/or applicable state law.

**Acknowledgment:** I have read the terms of this sentence or had them read and explained to me.

  
Defendant

FILED IN OFFICE  
LONG COUNTY, GA  
2013 JUL 19 PM 1:14  
CLERK OF SUPERIOR  
STATE & JUVENILE COURT

Exhibit B

IN THE SUPERIOR COURT OF LONG COUNTY  
STATE OF GEORGIA

State of Georgia

v.

Isaac Glen Aguilui

Case No. 2012-R-080-RR

PETITION FOR APPROVAL OF NEGOTIATED PLEA

The District Attorney and the Defendant hereby petition the Court for approval of the terms of the following negotiated Plea and Sentence Recommendation. The Defendant consents to the Court receiving evidence in aggravation and mitigation of punishment following the tender of this plea. The agreement is as follows:

A. Defendant will plead: (X) Guilty to Count(s): 1, 2, 5, 6, 11, 12 (X) Nol Pros to Counts: 3, 4, 7-10, 13, 14

Count: Offense:

Sentence Range:

1	Malice Murder, a Felony	Life/Life without Parole/Death
2	Malice Murder, a Felony	Life/Life without Parole/Death
3	Felony Murder, a Felony	Same
4	Felony Murder, a Felony	Same
5	Violation of Street Gang Terrorism and Prevention Act	5-15 years
6	Violation of Street Gang Terrorism and Prevention Act	5-15 years
7	Violation of Street Gang Terrorism and Prevention Act	+10 years
8	Violation of Street Gang Terrorism and Prevention Act	+10 years
9	Poss. Of A Firearm During Commission Of A Felony	+5 years
10	Poss. Of A Firearm During Commission Of A Felony	+5 years
11	Violation of Street Gang Terrorism and Prevention Act	5-15 years
12	Violation of Street Gang Terrorism and Prevention Act	5-15 years
13	Aggravated Assault, a Felony	1-20 years
14	Aggravated Assault, a Felony	1-20 years

TOTAL SENTENCE: LIFE WITHOUT THE POSSIBILITY OF PAROLE, with concurrent 15 year to serve sentences

B. The District Attorney agrees to recommend that the defendant be sentenced as follows:

COUNT 1: LIFE WITHOUT THE POSSIBILITY OF PAROLE

COUNT 2: LIFE WITHOUT POSSIBILITY OF PAROLE, concurrent to count one

COUNT 3: NOL PROS

COUNT 4: NOL PROS

Filed in Open Court  
This 19<sup>th</sup> day of July 2013  
Sherry M. Long  
Clerk of Superior Court, Long County

COUNT 5: 15 YEARS TO SERVE CONCURRENT TO COUNT ONE

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COUNT 6: 15 YEARS SERVE CONCURRENT TO COUNT TWO

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COUNT 7: NOL PROS

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COUNT 8: NOL PROS

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COUNT 9: NOL PROS

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COUNT 10: NOL PROS

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COUNT 11: 15 YEARS TO SERVE CONCURRENT TO COUNT ONE

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COUNT 12: 15 YEARS TO SERVE CONCURRENT TO COUNT TWO

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COUNT 13: NOL PROS

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COUNT 14: NOL PROS

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THIS NEGOTIATED RESOLUTION IS CONDITIONED UPON THE FOLLOWING TERMS:

- 1) The defendant shall testify truthfully at any and all hearings or trials of the co-conspirators, Defendants Anthony Ryan Peden, Indictment No. 2012-R-62, Christopher Edward Salmon, Indictment No. 2012-R-64, and Heather Salmon, Indictment No. 2012-R-63. Defendant shall testify truthfully at any and all hearings or trials of the Defendants, Adam Brady Dearman, Indictment No. 2012-R-362 and Anthony Garner, Indictment No. 2012-R-362. The Defendant shall cooperate fully with the State of Georgia and any and all law enforcement agencies, be they State or federal, in any type of interview or follow up information or knowledge being sought from said Defendant during the pendency of the above-indicted cases. Additionally, Defendant shall likewise agree to testify truthfully at any and all hearings or trials of any Defendants who may be indicted in the future for Street Gang Terrorism and Prevention Act counts or related crimes arising out of F.E.A.R. gang's activities or for any and all crimes alleged to have been committed by any of said gang members or associates in any jurisdiction. Furthermore, the same required cooperation for interviews by and all law enforcement agencies, state federal or military, applies to said cases.\* Defendant shall not be required to answer any questions pertaining to the pending charges with the military involving the deaths of his wife and unborn son. Further, he shall not be required to incriminate himself for any uncharged offenses,
- 2) Pursuant to O.C.G.A. Section 16-15-5 of the Street Gang Terrorism and Prevention Act, Defendant hereby consents to forfeiture of all property that is deemed contraband under said statute as it is explained and defined in said Code section; this consent forfeiture specifically includes but is not limited to all assets and property heretofore seized by the federal government in 2012 from this Defendant under violations of federal law.
- 3) Pursuant to O.C.G.A. 16-15-4(l) of the Street Gang Terrorism and Prevention Act: Defendant shall not knowingly have any contact of any kind or character with any other member or associate of a criminal street gang, shall not participate in any criminal gang activity, and shall not knowingly have any contact of any kind or character with victim Michael Roark or Tiffany York's family or household.

A FAILURE TO COOPERATE IN INTERVIEWS OR REFUSAL TO TESTIFY AS SET FORTH IN CONDITION 1) ABOVE SHALL CONSTITUTE A VIOLATION OF THIS AGREEMENT. ANY SAID VIOLATION WILL SUBJECT DEFENDANT TO THE ORIGINAL OFFENSES IN THIS INDICTMENT AND THE DEATH PENALTY PROVISIONS BEING RE-INSTATED.

D. THE FOLLOWING ARE APPLICABLE TO THIS AGREEMENT:

- ☒ Credit for time served, to the date of arrest December 10, 2011.
- ☒ The Defendant consents to forfeiture of any interest he/she may have in all evidence, including personal property, seized in the case at bar, and further consents to disposition of the evidence by the appropriate law enforcement agency.
- ☒ The Defendant acknowledges that prior to entering this guilty plea, he/she has been informed of the maximum and minimum sentence that may be imposed and that he/she is waiving the following rights:
- .The right to Trial by Jury
  - .The presumption of innocence
  - .The right to examine witnesses
  - .The right to representation by counsel
  - .The right to present evidence and subpoena witnesses on his/her behalf
  - .The right not to incriminate oneself

DEFENDANT FURTHER WAIVES ANY AND ALL RIGHTS TO SEEK POST-CONVICTION RELIEF OR POST-SENTENCE RELIEF OF ANY KIND, TO INCLUDE BUT NOT LIMITED TO APPEAL, OR OTHER RELATED MOTIONS, WITH THE EXCEPTION OF HABEAS CORPUS.

THE DEFENDANT ACKNOWLEDGES THAT THE ABOVE IS NOT A BINDING RECOMMENDATION BY THE STATE AND MAY BE WITHDRAWN AT ANY TIME PRIOR TO WRITTEN ACCEPTANCE BY THE DEFENDANT.

Tom Durden  
DISTRICT ATTORNEY

DEFENDANT

Tom Durden  
District Attorney  
Atlantic Judicial Circuit

Newell M. Hamblin  
ATTORNEY FOR THE DEFENDANT  
( ) Court Appointed

Isabel M. Pauley, Special Prosecutor

Isa Agui  
Defendant

DATE: 19 JULY 2013

DATE: 19 July 2013

ORDER

The foregoing petition having been heard and considered and upon the presentation of evidence indicating that the negotiated plea is proper, the negotiated plea is hereby approved as to its terms.

SO ORDERED, this 19 day of JULY 2013

Port - MUP  
Judge, Superior Court  
Atlantic Judicial Circuit